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10/036,172	12/31/2001	Neeraj Kumar	G07.011	4826

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BUCKLEY, MASCHOFF & TALWALKAR LLC
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NEW CANAAN, CT 06840

EXAMINER

GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
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3692

MAIL DATE	DELIVERY MODE
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05/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/036,172

Applicant(s)

KUMAR ET AL.

Examiner

Clement B. Graham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1 The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 15, 30 and 36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
In particular, Claims 1, 15, 30 and 36, recites the word [**“ necessary requirement, and plurality of constraint , and necessary objective”**].

However this language fails to distinctly claim Applicant's invention because the scope of the claim is unclear. Moreover the specification fails to clarify, the meaning of the limitation.
Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
Claim 1 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, Claim 1, states ” **determining at least one of said offers that complies with a necessary requirement associated with said campaign wherein each of said plurality of offers simultaneously satisfies a plurality of constraints and complies with said necessary requirement** ” it is unclear which plurality of offers is being determining science Applicant’s is determining at least one of the plurality and each of the plurality of offers . . .”. For further examination, the examiner interprets the limitation in light of this 112, second rejection.

In particular, Claims 30, states ” **determining at least one necessary objective associated with a campaign regarding said financial product wherein each of said plurality of first and second offers satisfies a plurality of constraints and compiles with said necessary objective**” it is unclear because Applicant’s is determining at least one necessary objective and and wherein each of said plurality of first and second offers satisfies a

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plurality of constraints . . .”. For further examination, the examiner interprets the limitation in light of this 112, second rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-37, are rejected under 35 U.S.C. 102(e) as being anticipated by Steele et al (Hereinafter Steele U.S Pub: 2002/0072975 A1).

As per claim 1, Steele discloses a method for selecting at least one offer regarding a financial product, comprising:

determining a plurality of offers regarding a financial product available for a campaign;
determining at least one of said plurality of offers that complies with a requirement associated with said campaign, determining at least one of said offers that complies with a necessary requirement associated with said campaign wherein each of said plurality of offers simultaneously satisfies a plurality of constraints and complies with said necessary requirement (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)

determining a plurality of recipients associated with said determined at least one of said plurality of offers; and

providing said determined at least one of said plurality of offers to at least one of said plurality of recipients. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 2, Steele discloses wherein said determining a plurality of offers available for a campaign includes at least one of the following: and
receiving data indicative of said plurality of offers; and

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receiving a request to use one of a plurality of offers for a campaign; and receiving information regarding a plurality of recipients of previous offers. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 3, Steele discloses wherein said determining at least one of said plurality of offers that complies with a requirement associated with said campaign includes at least one of the following:

selecting one offer from said plurality of offers that best complies with said requirement; selecting at least two offers from said plurality of offers that comply with said requirement when implemented together. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174) creating a score for each of said plurality of offers, an offer's score being indicative of a degree of compliance with said requirement by said offer; ranking each of said plurality of offers according to degree of compliance with said requirement and using at least the best ranked offer for said campaign; and scoring each of said plurality of offers according to degree of compliance with said requirement and selecting at least one of said plurality of offers based, at least in part, on said scoring. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 4, Steele discloses wherein said determining a plurality of recipients associated with said determined at least one of said plurality of offers includes at least one of the following:

receiving data indicative of said plurality of recipients; and receiving data indicative of a plurality of segments of recipients, wherein each of said plurality of segments is associated with at least one of said plurality of offers. . (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 5, Steele discloses wherein said providing said determined at least one of said plurality of offers to at least one of said plurality of recipients includes at least one of the following:

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providing said determined at least one of said plurality of offers via an email message; providing said determined at least one of said plurality of offers via an instant message communication. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)

conveying said determined at least one of said plurality of offers via a letter; and conveying said determined at least one of said plurality of offers via an electronic signal. . (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 6, Steele discloses further comprising:
determining said requirement. . (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 7, Steele discloses wherein said requirement includes at least one of the following:

a requirement that said campaign have a minimum recipient pool size; a requirement that said campaign have a maximum recipient pool size; a requirement that said campaign have a minimum number of respondents to an offer;

a requirement that at least a minimum number of recipients of one of said plurality of offers complete said designated action. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)

a requirement that said campaign have not greater than a designated cost; and

a requirement that said campaign have a maximum number of recipients. . (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 8, Steele discloses wherein said determined at least one of said plurality of offers includes at least one of the following:

an offer for a discount on purchases made using said financial product;

an offer to receive a reissued credit card. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)

an offer for a discount on purchases made using said financial product at a specific merchant;

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an offer for a discount on purchases made using said financial product during a designated time period. . (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 9, Steele discloses wherein said financial product includes at least one of the following:

a credit card; and a debit card. . (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 10, Steele discloses further comprising:
receiving a request to conduct said campaign.

As per claim 11, Steele discloses wherein said determined at least one of said plurality of recipients includes a plurality of segments, each of said plurality of segments including at least one of said plurality of recipients.

As per claim 12, Steele discloses wherein each of said plurality of segments has an associated characteristic indicative of a member of said segment's likelihood of completing a designated action associated with said determined one of said plurality of offers. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 13, Steele discloses further comprising:
determining information regarding at least one of said potential recipients. . (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 14, Steele discloses wherein said determining information regarding at least one of said potential recipients includes at least one of the following: receiving a list of at list two of said potential recipients; receiving demographic information regarding at least one of said potential recipients. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)
receiving credit history information regarding at least one of said potential recipients;
receiving lifestyle information regarding at least one of said potential recipients; and

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receiving credit performance information regarding at least one of said potential recipients. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 15 Steele discloses a method for selecting at least one offer regarding a financial product to make to a recipient, comprising:
determining, for each offer of a plurality of potential offers regarding a financial product, a plurality of segments of potential recipients of said offer, wherein each segment for an offer has an associated response rate indicative of a member of said segment completing a designated action associated with said segment after receiving said offer. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)
determining at least one necessary objective associated with a campaign, wherein said campaign will include at least one of said plurality of potential offers;
determining at least one offer from said plurality of offers that complies with said at least one objective, wherein said at least one of offer simultaneously satisfies a plurality of constraints and complies with said necessary objective and providing a notification indicative of at least one member of at least one segment of potential recipients associated with said determined at least one offer. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 16, Steele discloses wherein said determining, for each offer of a plurality of potential offers regarding a financial product, a plurality of segments of potential recipients of said offer, wherein each segment for an offer has an associated response rate indicative of a member of said segment completing a designated action after receiving said offer, includes at least one of the following:
receiving demographic information regarding at least one of said plurality of potential recipients;
receiving credit history information regarding at least one of said plurality of potential recipients. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)

receiving lifestyle information regarding at least one of said plurality of potential recipients; and
receiving credit performance information regarding at least one of said plurality of potential recipients.(see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 17, Steele discloses wherein said determining, for each offer of a plurality of potential offers regarding a financial product, a plurality of segments of potential recipients of said offer, wherein each segment for an offer has an associated response rate indicative of a member of said segment completing a designated action after receiving said offer, includes at least one of the following:
identifying segments of previous recipients of offers.(see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)
determining a score for at least one of said plurality of potential recipients based on designated variables, said score being indicative of said at least one of said plurality of potential recipients completing said designated action; and
determining responses by at least some of said plurality of potential recipients to at least one previous offer regarding said financial product.(see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 18, Steele discloses wherein said determining at least one objective associated with a campaign includes at least one of the following: determining a requirement that said campaign have a minimum number of respondents to an offer; determining a requirement that at least a minimum number of recipients of one of said plurality of offers complete said designated action; determining a requirement that said campaign have not greater than a designated cost.(see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)
determining a requirement that said campaign have a maximum number of recipients; receiving data indicative of said at least one objective; and receiving data indicative of a location where information regarding said at least one objective can be found. .(see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 19, Steele discloses wherein said determining at least one offer from said plurality of offers that complies with said at least one objective includes at least one of the following:

selecting at least one offer from said plurality of offers that best complies with said at least one objective;

selecting at least two offers from said plurality of offers that comply with said at least one objective when implemented together;

creating a score for each of said plurality of offers, an offer's score being indicative of a degree of compliance with said at least one objective by said offer.(see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174) ranking each of said plurality of offers according to degree of compliance with said at least one objective and using at least the best ranked offer for said campaign; and scoring each of said plurality of offers according to degree of compliance with said at least one objective and selecting at least one of said plurality of offers based, at least in part, on said scoring.(see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 20, Steele discloses providing at notification indicative of at least one member of at least one segment of potential recipients associated with said determined at least one offer includes at least one of the following:

providing said determined offer to at least one member of at least one segment of potential recipients associated with said determined offer; and 6providing a communication that includes a list of identified recipients of said determined offer. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 21, Steele discloses further comprising:

providing said determined offer to at least one member of at least one segment of potential recipients associated with said determined at least one offer. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

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As per claim 22, Steele discloses wherein said notification includes at least one of the following:

an email message;

an instant message communication;

an electronic signal, a letter, and

a message sent to a postal address. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 23, Steele discloses wherein a designated action associated with a segment may include at least one of the following:

use of said financial product;

incremental use of said financial product;

purchase of a product with said financial product;

signing up for a credit card;

agreeing to accept a credit card;

using a credit card. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 24, Steele discloses further comprising:
determining a designated action associated with at least one segment. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 25, Steele discloses wherein a designated action associated with a first segment from a first plurality of segments is different than a designated action for a second segment from said first plurality of segments. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 26, Steele discloses further comprising:
receiving a request to conduct said campaign. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 27, Steele discloses further comprising:
determining use of said financial product by a recipient of said

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determined at least one offer. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 22, Steele discloses further comprising:
determining incremental use of said financial product by a recipient of 3 said determined offer. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 9, Steele discloses further comprising:
determining at least one of said plurality of offers. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 30, Steele discloses selecting at least one offer regarding a financial product to provide to a recipient, comprising:
determining a first plurality of segments of potential recipients of a first offer, wherein each of said first plurality of segments has an associated response rate, and wherein a segment's associated response rate is indicative of a member of said segment completing a designated action associated with said segment after receiving said first offer (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)
determining a second plurality of segments of potential recipients of a second offer, wherein each of said second plurality of segments has an associated response rate, and wherein a segment's associated response rate is indicative of a member of said segment completing a designated action associated with said segment after receiving said second offer;
determining at least one necessary objective associated with a campaign regarding said financial product wherein each of said plurality of first and second offers satisfies a plurality of constraints and compiles with said necessary objective (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174) and providing either said first offer to at least one member of at least one segment from said first plurality of segments if said first offer meets said at least one objective better than said second offer, or said second offer to at least one member of at least one segment from said second plurality of segments if

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said second offer meets said at least one objective better than said first offer. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 32, Steele discloses wherein a designated action associated with a first segment from said first plurality of segments is different than a designated action for a second segment from said first plurality of segments. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 32, Steele discloses further comprising:
determining said first offer. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 33, Steele discloses further comprising:
determining if said first offer complies with said at least one objective better than said second offer. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 34, Steele discloses a method for determining an offer regarding a financial product to provide to a recipient, comprising:
determining a plurality of potential offers for a campaign regarding a financial product, said campaign having at least one associated requirement and at least one designated action(see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)
determining, for each offer from said plurality of potential offers, a plurality of segments of potential recipients of said offer, wherein each segment from said plurality of segments has an associated characteristic, said characteristic being indicative of a member of said segment completing said designated action after receiving said offer(see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)
determining which offer from said plurality of offers best complies with said at least one requirement; and providing said determined offer to at least one member of a segment of the plurality of segments associated with said determined

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offer. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 35, Steele discloses a method for determining an offer regarding a financial product, comprising:
determining, for each offer of a plurality of potential offers regarding a financial product, a plurality of segments of potential recipients of said offer, wherein each segment for an offer has an associated response rate indicative of a member of said segment completing a designated action associated with said segment after receiving said offer; determining at least one objective associated with a campaign, wherein said campaign will include at least one of said plurality of potential offers; determining a score for at least one of a said plurality of offers, said score being indicative of said at least one offer's compliance with said at least one objective; and providing a notification indicative of said score. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 36, Steele discloses a system for determining an offer regarding a financial product, comprising:
memory;
a communication port; and
a processor connected to said memory and said communication port, said processor being operative to:
determine a plurality of offers regarding a financial product available for a campaign;
determine one of said plurality of offers that complies with a requirement associated with said campaign;
determine a plurality of recipients associated with said determined one of said plurality of offers (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)
and provide said determined one of said plurality of offers to at least one of said plurality of recipients. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

As per claim 37, Steele discloses a computer program product in a computer readable medium for determining an offer regarding a financial product, comprising:

instructions for identifying a plurality of offers regarding a financial product available for a campaign;

second instructions for identifying one of said plurality of offers that complies with a requirement associated with said campaign determining at least one of said offers that complies with a necessary requirement associated with said campaign wherein each of said plurality of offers simultaneously satisfies a plurality of constraints and complies with said necessary requirement (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174)

third instructions for identifying a plurality of recipients associated with said determined one of said plurality of offers; and

fourth instructions for sending a communication regarding said determined one of said plurality of offers to at least one of said plurality of recipients. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174).

Conclusion

RESPONSE TO ARGUMENTS

5. Applicants argument's filed 2/7/2007 has been fully considered but they are not persuasive for the following reasons.

6. In response to Applicant's arguments that Steele fail to teach or suggest "provide an offer that simultaneously satisfies a plurality of constraints and complies with a necessary requirement" the examiner disagrees with Applicant because these limitations were addressed as stated.

Steele teaches determining a plurality of offers regarding a financial product available for a campaign; determining at least one of said plurality of offers that complies with a requirement associated with said campaign, determining at least one of said offers that complies with a necessary requirement associated with said campaign wherein each of said plurality of offers simultaneously satisfies a plurality of constraints and complies with said necessary requirement (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174 determining a plurality of recipients associated with said determined at

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least one of said plurality of offers and providing said determined at least one of said plurality of offers to at least one of said plurality of recipients. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174 wherein said determining a plurality of offers available for a campaign includes at least one of the following: and receiving data indicative of said plurality of offers; and receiving a request to use one of a plurality of offers for a campaign; and receiving information regarding a plurality of recipients of previous offers. (see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174.

wherein said determining at least one of said plurality of offers that complies with a requirement associated with said campaign includes at least one of the following: selecting one offer from said plurality of offers that best complies with said requirement; selecting at least two offers from said plurality of offers that comply with said requirement when implemented together see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174 creating a score for each of said plurality of offers, an offer's score being indicative of a degree of compliance with said requirement by said offer; ranking each of said plurality of offers according to degree of compliance with said requirement and using at least the best ranked offer for said campaign; and scoring each of said plurality of offers according to degree of compliance with said requirement and selecting at least one of said plurality of offers based, at least in part, on said scoring. see column 1 paragraph 0004 and column 2 paragraph 0027-0035 and column 3-13 paragraph 0036-0174.

Therefore it is inherently clear that Applicant's claimed limitations were addressed with the teachings of Steele.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

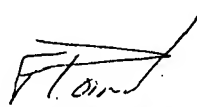
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

April 27, 2007



Frantzy Poinvil
Primary Examiner
Art Unit 3628